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Date: April 22, 2002

Signed: 

Peter K. Trzyna (Reg. No. 32,601)



PATENT

Paper No. 4

File: Hinne-P3-01

FILE COPY
COPY OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Michael Hinnebusch
Serial No.	:	10/015,866
Filed	:	December 12, 2001
For	:	SYSTEM AND METHOD TO IMPROVE FITNESS TRAINING
Group Art Unit	:	2121
Examiner	:	

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TECHNOLOGY CENTER R3700

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

TRANSMITTAL LETTER

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SIR:

Transmitted herewith for filing in the above-identified patent application is the following:

1. Petition to Correct Filing Date;
2. A copy of the Filing Receipt for Application No. 10/015,866;
3. A copy of the Response to Request for Corrected Filing Receipt;
4. A copy of the Filing Receipt for Application No. 10/015,866 with

corrections made thereon;

5. A copy of page 2 of the instant specification;

6. A copy of the Filing Receipt for Application No. 09/977,577;
7. A copy of the Filing Receipt for Application No. 09/829,757; and
8. A copy of the Filing Receipt for Application No. 60/196,498.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

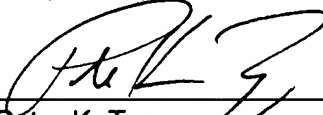
Please direct all correspondence to the undersigned at the address given below.

Date: April 22, 2002

P.O. Box 7131
Chicago, IL 60680-7131

(312) 240-0824

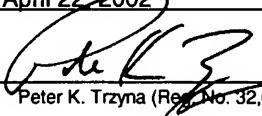
Respectfully submitted,


Peter K. Trzyna
(Reg. No. 32,601)

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Date: April 22, 2002

Signed: 
Peter K. Trzyna (Reg. No. 32,601)



PATENT

Paper No. 4

File: Hinne-P3-01

COPY OF PAPERS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Michael Hinnebusch
Serial No. : 10/015,866
Filed : December 12, 2001
For : SYSTEM AND METHOD TO IMPROVE FITNESS
TRAINING
Group Art Unit : 2121
Examiner :

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Washington, D.C. 20231

PETITION TO CORRECT FILING DATE

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S I R :

On January 11, 2002, the PTO issued a Filing Receipt in the above-identified application showing the first line of the Domestic Priority data as claimed by applicant to read "THIS APPLICATION IS A CIP OF 09/977,577 10/16/01*", a copy is enclosed.

On January 15, 2002, applicant filed a Request for Corrected Filing Receipt asking that the PTO issue a Corrected Filing Receipt showing the filing date of 09/977,577, as 10/15/01, and not 10/16/01.

On January 30, 2002, the PTO mailed a Response to Request for Corrected

Filing Receipt stating that a Petition to Correct the Filing Date needs to be filed to correct this PTO error, a copy is enclosed.

All parent cases have correct statements claiming priority, and a copy of the filing receipt for each parent case is enclosed for review. The error on the Filing Receipt for Serial No. 20/025,866 is solely a PTO error, and a copy of the filing receipt with corrections thereon is enclosed.

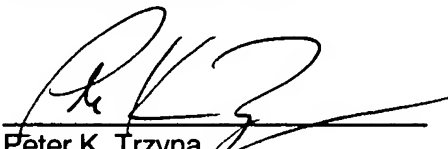
Therefore, Applicant petitions for a corrected filing receipt to permit the above identified application, showing the first line of the Domestic Priority data as claimed by Applicant to read "THIS APPLICATION IS A CIP OF 09/977,577 10/15/01". The filing date of 09/977,577 is 10/15/01, not 10/16/01, as shown by page 2 of the instant specification, under Section 1, Cross Reference to Related Applications, line 4. A copy of page 2 of the instant specification is enclosed.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,

Date: April 22, 2002


Peter K. Trzyna
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/015,866	12/12/2001	2121	865	Hinne-P3-01	16	75	2

 28710
 PETER K. TRZYNA, ESQ.
 P O BOX 7131
 CHICAGO, IL 60680


CONFIRMATION NO. 4714

FILING RECEIPT



SEP 17 2002

Date Mailed: 01/11/2002

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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael Hinnebusch, El Paso, TX;

Domestic Priority data as claimed by applicant

 THIS APPLICATION IS A CIP OF 09/977,577 10/16/2001 *
 WHICH IS A CIP OF 09/829,757 04/10/2001
 WHICH CLAIMS BENEFIT OF 60/196,498 04/12/2000
 (*) Data inconsistent with PTO records.

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Foreign Applications

If Required, Foreign Filing License Granted 01/10/2002

Projected Publication Date: 04/18/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method to improve fitness training

Preliminary Class

700

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

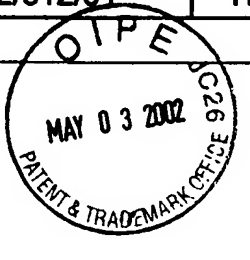


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WASHINGTON, DC 20503-0001
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10015866	12/812/01	HINNEBUSCH	Hinne-P3-01

PETER K. TRZYNA, ESQ.
P. O. BOX 7131
CHICAGO, IL 60680



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RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Claims, Fees, Inventors and Continuity

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).
- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- ☐ The docket number allows a maximum of 25 characters.
- ☐ The priority or continuity will not be entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

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☐ Priority claimed under 35 U.S.C. 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment of Application Data Sheet.

☐ Foreign priority will appear on the Filing Receipt in the following order:
Country, Application number, Filing date.

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☒ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.



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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/015,866	12/12/2001	2121	865	Hinne-P3-01	16	75	2

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PETER K. TRZYNA, ESQ.
P O BOX 7131
CHICAGO, IL 60680



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SEP 17 2002
CONFIRMATION NO. 4714
GC000000007296030*

TECHNOLOGY CENTER R3700

Date Mailed: 01/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael Hinnebusch, El Paso, TX;

Domestic Priority data as claimed by applicant

10/15/2001
THIS APPLICATION IS A CIP OF 09/977,577 10/16/2001 *e-Duke*
WHICH IS A CIP OF 09/829,757 04/10/2001
WHICH CLAIMS BENEFIT OF 60/196,498 04/12/2000
(*) Data inconsistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted 01/10/2002

Projected Publication Date: 04/18/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method to improve fitness training

Preliminary Class

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Technology Center 2100

I. Cross Reference to Related Applications

This is a continuation-in-part application which claims priority from, U.S. Patent Application Serial No. 09/977,577, filed 10/15/01, U.S. Patent Application Serial No. 09/829,757 filed 4/10/01, which is a continuation-in-part application which claims priority from and incorporates by reference, U.S. Patent Application Serial Number 60/196,498, filed April 12, 2000, now abandoned, all bearing the same title and all incorporated by reference.

II. Technical Field of the Invention

The present invention pertains to an electrical digital computer machine and a data processing system, methods of making and for using the machine, products produced thereby, as well as data structures and articles of manufacture pertaining thereto, as well as all necessary intermediates, all in the field of computerized aspects of machine-based fitness training. More particularly, this invention relates to a digital electrical computer network and methods related thereto for enabling people to program a cardiovascular exercise routine on a personal computer or the like and then have that exercise routine downloaded to a piece of fitness equipment, such as a treadmill. In a more particular embodiment, a virtual private network, or web-based system, makes available a library of preprogrammed exercises, preferably with means for modifying a routine from the library, or for creating a new routine by selecting the type of cardiovascular fitness equipment, the duration of the exercise routine, the number of time intervals, the exercise intensity, and the speed for each interval. Customized routines are stored by the system for future use or reference. Ancillary features for use by a subscriber during a exercise routine are also provided.

III. Background of the Invention

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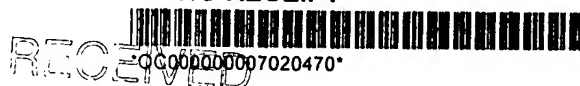
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/977,557	10/15/2001	2121	0.00	Hinne-P2-01	16	9	2

 Peter K. Trzyna
 P.O. Box 7131
 Chicago, IL 60680-7131


CONFIRMATION NO. 2488

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Date Mailed: 11/05/2001

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Applicant(s)

Michael Hinnebusch, El Paso, TX;

Domestic Priority data as claimed by applicant

 THIS APPLICATION IS A CIP OF 09/829,757 04/10/2001
 WHICH CLAIMS BENEFIT OF 60/196,498 04/12/2000

Foreign Applications

If Required, Foreign Filing License Granted 11/03/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method to improve fitness training

Preliminary Class

700

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JUN 10 2002

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**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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NOT GRANTED

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/829,757	04/10/2001	2121	355	Hinn-P1-01	8	6	2

CONFIRMATION NO. 9586

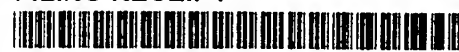
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OC00000006077041

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Date Mailed: 05/15/2001

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Applicant(s)

Michael A. Hinnebusch, El Paso, TX;

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Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 60/196,498 04/12/2000

Technology Center 2100

Foreign Applications

If Required, Foreign Filing License Granted 05/14/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

Title

System and method to improve cardiovascular fitness training by using internet-type services

Preliminary Class

700

Data entry by : ROBINSON, FELICIA

Team : OIPE

Date: 05/15/2001

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/196,498	04/12/2000		100	HINN-P1-00	8		

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Applicant(s)

Michael A. Hinnebusch, El Paso, TX ;

Continuing Data as Claimed by Applicant

Foreign Applications

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** SMALL ENTITY **

Title

System and method to improve cardiovascular fitness training by using internet-type services

Preliminary Class

Data entry by : BAILEY, NINA

Team : OIPE

Date: 08/25/2000



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